REMARKS

Claims 1-23 are pending and all stand rejected under either 35 U.S.C. §§ 102 or 103. Claims 1, 9, 10, 15, 16, and 20-23 are being amended. Claim 11 is being canceled without prejudice. In view of the above amendments and following remarks, reconsideration of the application is respectfully requested.

SPECIFICATION

In paragraphs 1 and 2 of the Office Action, the Abstract was objected to because it exceeded 150 words. A new Abstract with less than 150 words is being re-submitted. Withdrawal of the objection is respectfully solicited.

CLAIM OBJECTIONS

In paragraph 3, claims 21-23 were objected to because they were dependent from claim 18, which recites a network. Claims 21-23 are being amended to depend from claim 19, which recites a computer-readable medium.

Withdrawal of the objection is respectfully solicited.

REJECTIONS UNDER 35 U.S.C. § 102(e) – Philippou

In paragraphs 4 and 5, claims 1-3, 5-11, and 15-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent number 6,385, 648 issued to Philippou et al. ("Philippou").

The rejection is traversed. Philippou does not disclose every element of the claimed invention. For example, Philippou does not disclose the element "wherein the first device provides administrative capabilities to a second device" as recited in claim 1. For the sake of argument that Philippou's box 201 in conjunction with configuration utility 231 corresponds to the claimed configuring machine, and

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Philippou's to-be-initialized box 205 corresponds to the claimed "first device" to be

configured, Philippou does not teach that box 205 "provides administrative

capabilities" to a second device as the claimed first device. The Office Action

mistakenly asserted that "Philippou et al also discloses that the first device will

interface with external systems or boxes in turn providing administrative capabilities

to tools managing a [sic], and providing interactions between a second and a third

device to a second device (column 3, 43-50)." Philippou's cited col. 3, lines 43-50

discloses a computer system 301 that may be included in *the box 201* of FIG. 2"

(emphasis added). As such, if there is any external communication at all as asserted,

it is Philippou's configuration box, not the box to-be-initialized 205 that was

corresponded to the claimed first device.

Claim 1 is further patentably distinguished from Philippou in which

Philippou's configuration utility sends a service announcement, and the box-to-be

initialized 205, after receiving this service announcement, may transmit an

acknowledgement message together with the identifier of the box to-be-initialized 205

(col. 1, line 66 to col. 2, line 9; col. 7, line 31 to line 38).

Additionally, claim 1 now recites the step of "turning-off a feature to configure

the first device until the first device is in an un-configured state," which is not taught,

suggested, or made obvious by Philippou. This feature is in fact that of now-canceled

claim 11. In rejecting claim 11, the Office Action asserted that "[i]n Figure 5,

Philippou et al shows that at the end of the initialization procedure the procedure will

end until the device is in an un-configured state." It is respectfully submitted that

Philippour's Figure 5 does not show any thing that "at the end of the initialization

procedure the procedure will end until the device is in an un-configured sate" as

asserted.

For the foregoing reasons, claim 1 is patentably distinguished from Philippou under 35 U.S.C. § 102(e), and is therefore patentable. Claims 2-14, depending from claim 1, are patentable for at least the same reasons as claim 1. Claims 2-14 are also patentable for their additional limitations.

Regarding claim 2, Philippou does not teach that "the first device is selected from a group consisting of "a device being part of the second device; and a device providing console capabilities to the second device." The computer of Philippou as cited by the Office Action may be included in *box 201*, and thus has nothing to do with the claimed first device, or *box 205*, which is part of a *second device* or which provides console capabilities to the second device. The Office Action asserted that Philippou "discloses a network interface, which is part of and can be embedded in the first device and can provide console capabilities to the first device (column 3, 43-50). It is respectfully submitted that Philippou does not disclose a network interface that can provide console capabilities to any other device. Further, even if the Office Action's assertion is true, i.e., the *network interface* is part of and can be embedded in the *first device* and can provide console capabilities to the *first device*, this is patentably distinguished from claim 2, which recites the *first device* being part of/providing console capabilities to a *second device*.

Regarding claim 3, Philippou does not teach sending the first parameter to a table and obtaining the first parameter from this table. Philippou's table 4 is a display of the boxes found after configuring utility 231 receives the acknowledgement from box 205.

Regarding claim 5, the claimed "media access control address" is patentably distinguished from the serial number of box 205 in Philippou.

Regarding claim 6, the citation of col. 3, lines 48-50 that the computer system 301 interfaces to external systems or boxes has nothing to do with the claimed "the first device performing the step of acquiring the first parameter."

Regarding claims 7 and 8, Philippou does not disclose the claim that the first device being part of a second device, and the second device obtaining the first parameter, and acquiring the first parameter from the second device. The assertion that the network interfaces may be considered part of the computer system is not patentably parallel with the claimed invention because the claimed first device was corresponded to *box 205*, not the *interfaces*.

Claims 9 and 10 are being amended to depend from claim 8, instead of claim 7. The cited computer has nothing to do with the claimed invention, that is, the first device being part of the second device and the claimed interconnects between the first and the second device or the claimed device identifier. Philippou's serial number is patentably distinguished from the claimed device identifier in the list.

Independent claims 15, 16, and 19 are pantentable for reasons that they recite limitations not disclosed in Philippou as discussed above in conjunction with claims 1-11. Dependent claims 17 and 18, and 20-23 depend from claims 16 and 19, respectively, and are patentable for at least the same reasons as claims 16 and 19, respectively. These dependent claims are also patentable for their additional limitations in recited in claims 1-12 with corresponding limitations.

REJECTIONS UNDER 35 U.S.C. § 103(a) – Philippou and Ylonen

In paragraph 16, claims 4, 12, 13, 14, 22, and 23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Philippou in view of U.S. patent number 6,782,474 issued to Ylonen ("Ylonen").

The rejection is traversed. Ylonen does not provide the features being missed in Philippou. The claimed invention is patentably distinguished from Philippou and Ylonen, either alone or in combination. The alleged motivation for combining Philippour and Ylonen is improper. Showing a prima facie case of obviousness fails.

Examples of the claimed features that are missed in Philippou and not provided by Ylonen include "the first device provides administrative capabilities to a second device," and "turning-off a feature to configure the first device until the first device is in an un-configured state." Therefore, claims 1 and 19 are patentably distinguished from Philippou and Ylone, either alone or in combination.

Dependent claims 4, 12, 13, and 14, depending from claim 1, are patentable for at least the same reasons as claim 1. Dependent claims 22 and 23, depending from claim 19, are patentable for at least the same reasons as claim 19. These dependent claims are also patentable for their additional features. For example, the cited paragraph of col. 7, lines 20-29, even though discloses the device's IP address, does not disclose, suggest or make obvious the claimed "an address resolution protocol command sending the internet protocol address to the table; and a packet internet groper protocol command obtaining the internet protocol from the table." Ylonen does not disclose the claimed "sending a command with the first parameter in a packet, the command being executed in the first device," etc.

For combining the two references in a § 103-obvious rejections, it must be shown that the reference teaches or suggests such combination or that such combination is of general knowledge (MPEP, section 706.02(j). Here, there is no teaching or suggestion of combining Philippou and Ylonen in either Philippou or Ylonen, and the Office Action failed to show it is of common knowledge to combine the initialization of Philippou to the installation and configuration of the network device of Ylonen. The Office Action asserted that "it would have been obvious . . . to
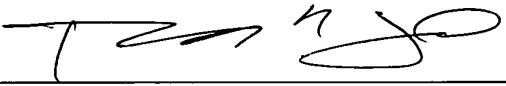
use Ylonen configuration packet structure and adapt it to work with the method of

configuring a first device as taught by Philippou et al. The suggestion/motivation for

doing so would have been in order to achieve a fast and effective way to send

configuration data over the network to the unconfigured device." This assertion is a

general conclusory statement without providing supporting evidence. Therefore,

showing a prima facie of obviousness fails.

SUMMARY

It is respectfully submitted that pending claims clearly present subject matter that is patentable over the prior art of record, and therefore withdrawal the rejections and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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